

Jury gives ruling

Singer clan found guilty

Associated Press

SALT LAKE CITY — A federal jury Monday found members of a polygamist clan guilty of 21 of 23 counts stemming from the bombing of a Church of Jesus Christ of Latter-day Saints chapel and a 13-day standoff with police that left a lawman dead.

After deliberating 25 hours over four days, the jury of 11 men and five women acquitted clan matriarch Marie Singer of one count of attempted murder of FBI agents and one count of possession of a sawed-off shotgun. On the charges of attempted murder against the other members of the clan, the jury decided to return guilty verdicts in the second-degree, which meant the jury did not find the crimes premeditated as required for first-degree attempted murder. U.S. District Judge James Jenkins scheduled sentencing for July 1.

In testimony in the case, one of the most controversial in Utah history, lasted as long as the gunfire-punctuated stalemate at the clan's Marion farm. The siege by 100 lawmen ended in a shootout Jan. 28 that killed Corrections Lt. Fred House and injured clan leader Addam Swapp.

Assistant Attorney General Creighton Horton III said his office intends to file state murder charges next week in House's death against an unspecified number of the defendants.

Swapp, 27, was found guilty of maliciously damaging an LDS church building; attempting to kill FBI agents; assaulting, resisting, impeding, intimidating and interfering with federal agents; and possession of an unregistered bomb.

He was also guilty of a corollary charge of use of a bomb to cause malicious damage count and two counts of use of a firearm linked to the assault and attempted murder charges.

The jury found Mrs. Singer, 45, guilty of the same charges as Swapp, with the exception of the attempted murder charge and a corollary firearms charge which the verdict rendered moot.

Swapp's brother, Jonathan Swapp, 21, and Mrs. Singer's son, John Timothy Singer, 21, were found guilty

of assault-resistance and attempted murder charges and the two accompanying firearms counts.

The wheelchair-bound Singer has been labeled by prosecutors as the triggerman in House's death.

"We've already won the victory!" Addam Swapp shouted to reporters as he was led into the federal court building. But there was little discernible reaction when the verdicts were read.

Jenkins thanked the jury, saying he believed they had been very discerning.

"We were very pleased and satisfied," said Assistant U.S. Attorney Richard Lambert. "It was a very fair verdict. As the judge said, the jury was discerning. They just didn't make a clean sweep."

Charlotte Swapp, one of Mrs. Singer's two daughters married to Addam Swapp, said of the verdict: "I'm not disappointed in it because I expected it."

Her sister, Heidi Swapp, said, "I know it's in God's hands."

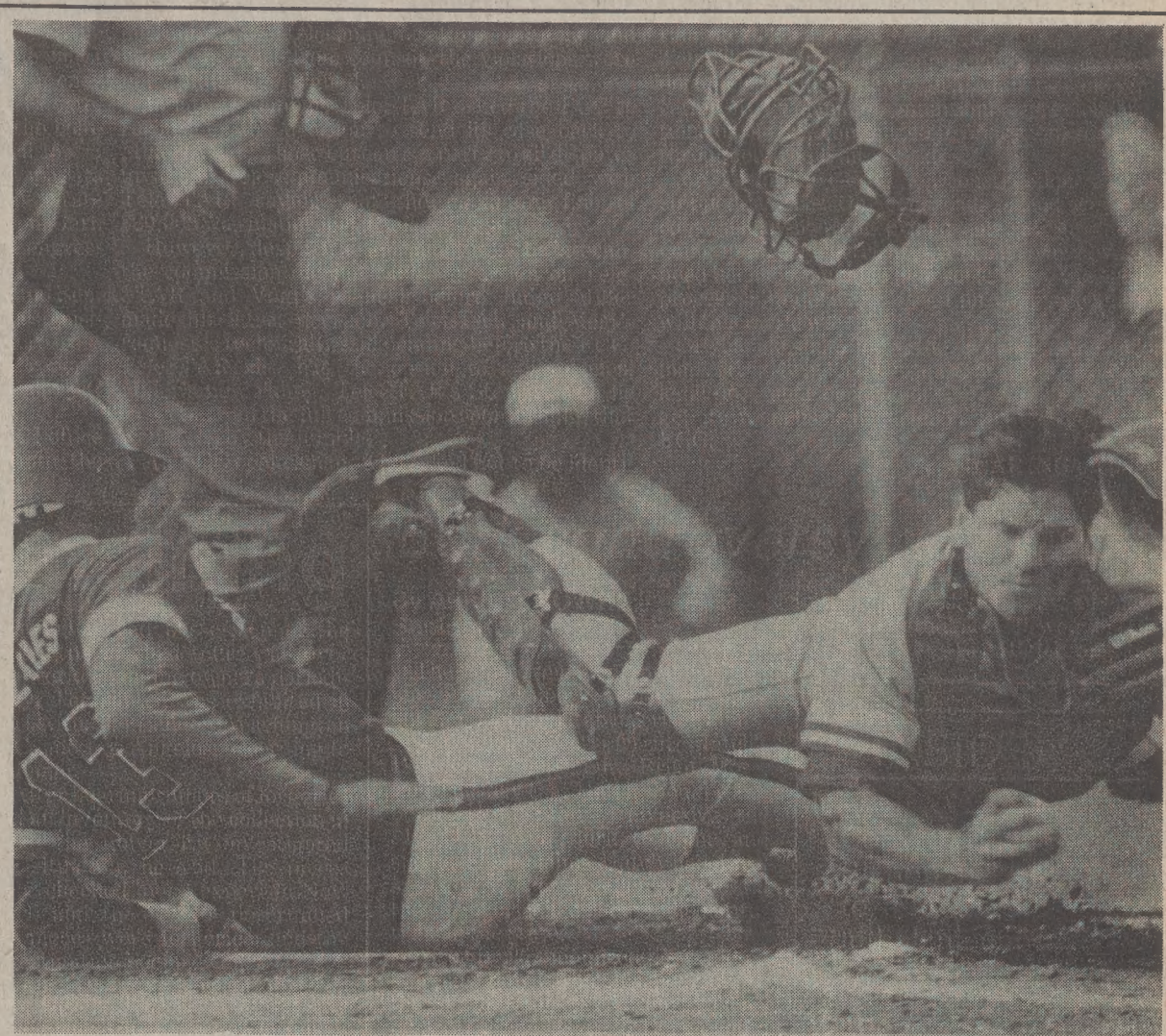
Attorneys for Jonathan Swapp and Mrs. Singer said they were considering appeals.

The maximum penalty for attempting to kill federal agents is 20 years, and is 10 years for bombing the chapel. The corollary firearms and use-of-a-bomb charges carry minimum-mandatory five-year penalties. Assaulting federal agents and possession of a bomb each carry maximum 10-year prison terms.

Jury deliberations began Wednesday afternoon after prosecutors called 67 witnesses ranging from elite FBI hostage rescue teams to LDS bishops and ballistics experts.

Defense attorneys called only three witnesses, including the buckskin-clad Addam Swapp, who spent more than two hours on the witness stand, tearfully and defiantly defending the clan's actions.

Addam Swapp admitted he bombed the Kamas Stake Center Jan. 16 with 87 sticks of dynamite, but insisted he never fired at any of the state, federal and local lawmen who surrounded the 2 1/2-acre farm. The government's final word in the case came Wednesday as U.S. Attorney Brent Ward denounced the clan as "a band of outlaws" who committed crimes in the name of religion.



Universe photo by Stuart Johnson

Doing it the hard way

BYU catcher, Milke Wiles, tags out a Hawaii runner at home during the second game on Saturday. The game ended in a 10-10 tie, giving the Cougars a win in the four-game-series against 9th-ranked Hawaii. See related story on page 3.

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Congressmen dispute bio-warfare experiment

DOUG GIBSON
Senior Reporter

Two Republican congressmen who are at odds with their state Democratic colleague Wayne Owens' efforts to draft legislation that would create a civilian commission to oversee the Army's bio-warfare experiments at Dugway Proving Grounds. The \$5.4 million facility, to be built miles southwest of Salt Lake City, proposed by the Pentagon to create defenses against military attacks of gases, toxins and bacteria.

However, critics are skeptical of the Army's position. The Army released a Draft Environmental Impact Report that indicated the center would have safety measures conducted to Biological Level-4 testing,

which includes agents with no known cure.

The Army has said it has no plans to test at Level-4, but does not rule out the possibility in the future.

Owens offered the proposal of a civilian commission at a hearing on Department of Defense efforts to expand defenses against biological weapons, said Owens' press secretary Art Kingdon.

Dugway's Col. Wyatt Colclasure is supportive of Owens' proposal. "Dugway Proving Grounds sees the value of obtaining civilian reason and insight," he said. Microbiologist Gary Resnick, Ph.D., who heads Dugway's Life Science Division, is receptive to the proposal.

There are mechanisms within the

See DISPUTE on page 2

Israeli Cabinet grants lease for BYU Jerusalem Center

STEPHANIE EVANS BISHOP
ampus Editor

After much controversy, the Israeli Cabinet has approved the lease of the BYU's Jerusalem Center, according to BYU's director of public communications.

However, according to Paul Richards, Israel's attorney general, the approval of the lease before it is final. Richards expects to announce the decision Wednesday. This is a major hurdle that we cleared," he said.

In 1984, the center was issued a construction permit and began building the facilities. In March 1987, the center was partially operational and housing students. According to Richards, the final lease couldn't be completed until construction was completed. "We can breathe a sigh of relief because they (the cabinet) have approved it (the lease)," he said.

Robert Taylor, assistant to President Jeffrey Holland for the

Jerusalem Center and department director for travel study, said the decision is an "accommodation to those who have opposed us. Legally, we are there."

The Jerusalem Center is 125,000 square feet and, according to Taylor, approximately 160 BYU students attend the center each fall and winter semester. "It's a program that has a great impact on the lives of students," he said. "It helps them view things in a lighter perspective."

While studying in Jerusalem, Taylor said students are required to take 16 credit hours, including six hours each of bible study and near eastern studies. "The curriculum is correlated with field trips," he said. "They study on sight. We take advantage of the environment."

Concerning the recent West Bank media censoring, Taylor said it did not have a major impact on the center, but some field trip plans were altered to avoid localized troubles near the West Bank.

Hearing could end 3-year FCC battle

Bankrupt phone company TeleSTAR, Inc. may be liquidated pending May ruling

By LANE WILLIAMS
Washington Correspondent

Editor's note: Lane Williams recently returned from Washington where he was working as an intern with columnist Jack Anderson. References to investigation conducted by The Daily Universe at the FCC were conducted while Williams was acting in his capacity as a reporter for Anderson. A version of Williams' article will soon be published in Communications Week and is used here with permission.

A bankruptcy hearing slated for May 26 for an Orem company may end a bitter, three-year battle inside the Federal Communications Commission between rival telephone companies.

TeleSTAR, Inc., which is in Chapter 11 reorganization, may be liquidated, thus ending their tenacious bid to gain FCC operating authority. "It looks serious," said the company's president, Noel Stewart.

TeleSTAR was accused three years ago by MCI Telecommunications Corporation of Washington D.C., and Western Telecommunications of Denver of building transmission towers without first obtaining the proper FCC permit.

TeleSTAR, however, later claimed to have discovered some similar violations by MCI, and returned the fire.

TeleSTAR, which was founded in 1983, has been mired in hearings and FCC legal action, unable to do any business. The FCC, however, decided that the counter-charges against MCI warranted no hearing.

Sen. Jake Garn, R-Utah, said recently that the FCC's handling of TeleSTAR's case was the worst stonewalling of an issue by a government agency that he has seen during his 13 years in the Senate. "I am personally offended," he wrote to the commission's chairman, Dennis Patrick on April 15.

The Daily Universe and other local newspapers reported earlier this year that the alleged disparate handling of the parallel cases raised cries from Garn and Rep. Howard Nielsen, R-Utah, for Congressional oversight investigation.

Staffers for Rep. John Dingell, D-Mich. and Sen. Daniel Inouye, D-Hawaii, the legislators responsible for oversight investigation, said they were looking into the matter. The Associated Press reports that Inouye's investigation is on hold until all FCC action has been completed.

At the center of the controversy is an MCI office memo that was inadvertently inserted into the

FCC's public record. TeleSTAR believes the memo may have revealed that certain regional MCI officials knew of unlawful activity surrounding a local electrical permit, but that they did nothing to stop it.

Furthermore, in court documents filed with the FCC on March 31, TeleSTAR now alleges that despite an FCC decision in January to punish MCI with a \$10,000 fine, MCI continues to violate FCC regulations.

As The Daily Universe and other newspapers reported, the FCC decided last December that despite some three years of hearings and legal action, the record in TeleSTAR's case had gaps and needed another hearing.

Because of the costs of a new hearing and a stated belief by all sides that no new evidence was available, no witnesses were called. So on April 14 FCC Administrative Law Judge Walter C. Miller ruled that TeleSTAR should not receive its license.

Miller initially ruled three years ago that TeleSTAR should not receive a license because he felt TeleSTAR had not been totally candid with the commission. Miller felt he saw inconsistencies in testimony. TeleSTAR later appealed that decision to an FCC review board which upheld the judge's ruling. Then the commission sent it back to Judge Miller.

But Greg Vogt, chief of the enforcement division for the FCC's common carrier bureau, repeatedly disagreed with Miller's findings, saying TeleSTAR had been forthright and credible.

TeleSTAR admitted that violations of FCC regulations occurred, but because they were a new entrant to the telecommunications industry and had poor advice from counsel, the violations were not willful, they argued.

In late December, TeleSTAR asked the FCC to reconsider the decision to send its case back to Miller. Vogt, whose bureau is a party to all disputes involving telecommunications, again sided with TeleSTAR, saying that the maximum fine of \$20,000 was inappropriate.

However, despite the four months in the interim, the commission did not take any action on TeleSTAR and Vogt's request before Judge Miller made his latest decision. TeleSTAR and Vogt's request is technically still pending before the FCC. TeleSTAR also has the option to again appeal Miller's new ruling. TeleSTAR's Stewart said he expects from the full commission soon a ruling that would clarify the jumble.

An FCC spokesman, who asked not to be identi-

fied by name because the case is still pending, said the four-month time lag is not unusual because of the volume of cases before the FCC.

However, in the parallel case involving MCI, the commission once took less than one month to reconsider one of its rulings.

In late January, The Daily Universe discovered that the FCC did not have a copy of an interesting legal document in the public record that TeleSTAR had allegedly sent to the FCC. Within the week, however, a copy of the document had made its way to the public file.

The document related to the MCI case where the commission had already fined the large company \$10,000.

According to John Kamp, director of FCC public affairs, when the general counsel's office, which oversees all legal action within the FCC, discovered that some evidence had apparently not been considered, it obtained another copy of TeleSTAR's document from the common carrier bureau.

The new evidence, however, did not change the outcome in MCI's case. In their supplementary ruling on February 12, the FCC found that, "evidence of any new violation was not relevant."

The FCC spokesman who asked for anonymity said MCI's case required less time to reconsider because the decision's effects were less comprehensive than a change in TeleSTAR's case.

The evidence the commission did not consider at first involved an MCI office memo that inadvertently appeared in the public record. "This (accidental) evidence is a significant indication of MCI's planned policy to violate the law," TeleSTAR said in its temporarily misplaced legal document. "This represents a 'smoking gun' implicating MCI's management in similar previous violations of the law committed in operations dispersed throughout the United States."

MCI's memo said, "...construction has not stopped at Erle. Our consensus is that we should construct everything prior to stirring up dust by going in for an electrical permit. We can always, if need be, use a portable generator while the hearing process is underway. Based on your information, will this tactic work?..."

MCI spokesman John Houser said the memo was inadvertently inserted into the appendix of an MCI legal document because of the company's haste to get its responses to TeleSTAR's charges to the FCC.

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Monet sketch is one of few remaining

KATHRYN NELSON
Universe Staff Writer
Associated Press

A Claude Monet sketch missing from BYU's art collection for nearly

two decades is probably one of the few remaining sketches of Monet, said a spokeswoman.

The 100-year-old pencil sketch, entitled "Two Women in a Boat," was valued between \$200,000 and \$250,000, according to Virgie Day,

collections manager of the BYU art collection.

The sketch was drawn in 1887, preliminary to Monet's painting, "Le Barque Bleu," which is now owned by a Japanese Gallery.

University Police recovered the sketch, also known as "The Boat Ride," from an unidentified party in New York City, said University Police Officer Arnold Lemmon. The collector voluntarily gave up the piece which was bought at an auction house. The original sketch, along with two sketches by Winslow Homer, were taken from the university to New York in 1969 by Dion O'Wyatt to assure their authenticity, said Lemmon.

Instead of sending them back to BYU, O'Wyatt sold the three pieces. He then made forgeries of two of them, "Two Women in the Boat" and "The Shepards," which he sent back to BYU, said Lemmon.

O'Wyatt pleaded no contest last November to theft by deception in connection with the missing three sketches and was given a suspended jail term and fine provided he help return the original art works, spokesman Brent Harker told the Associated Press. While the university

believed it had possession of the piece, the original toured all over the world changing owners periodically. The sketch was exhibited in Paris, Russia, London, Washington D.C. and Los Angeles, according to Lemmon.

After hearing rumors of forgeries and an inventory of the collection in 1986, the university investigated the situation, he said. The pieces were checked by an expert in New York and the results determined the pieces were forgeries, and the investigation began.

"Less than five percent of stolen art work is ever recovered," said Day. Once the art work is finally located, it must be obtained from the current owner through legal action. Sixteen other pieces that have been lost from the BYU art collection have been located and are awaiting legal action, said Day.

According to the Associated Press, Wesley Burnside, a former BYU art professor and curator of the collection during 1973 until his retirement in 1983, pleaded guilty to a misdemeanor charge in exchange for a civil suit aimed at recovering the missing pieces, according to the Associated Press.



Universe photo by Stuart Johnson

This Monet sketch was taken in 1969, and a forgery was sent back to BYU. The original was only recently recovered.

Bork controversy resurfaces

By APRIL D. LOWRY
Senior Reporter

The controversy surrounding former judge Robert Bork's speaking engagements in Utah has risen again.

Republican Sen. Orrin Hatch's Democratic opponent, Brian Moss, said Tuesday that Hatch should reimburse Utah State University the \$12,500 it paid Bork to come and speak. Moss claims Hatch had Bork speak at BYU as a personal favor and that he overlooked the public institutions in the state.

After Bork announced he would be stepping down from his position on the Washington D.C. Court of Appeals, Hatch asked if Bork would come to Utah to appear at a fundraiser. Bork consented to make the trip.

Bud Scruggs, Hatch's campaign manager, clarified the situation surrounding Bork's appearance at BYU.

"There has to be some reward for initiative," said Scruggs. He said he received a letter from BYU's Political Science Department Chairman Dennis Thompson the day after it was announced in area papers that Bork would be coming to Utah for a fundraiser.

"Thompson wrote to ask if Sen. Hatch would ask if Bork would come

to BYU to speak to the law and political science students. He wouldn't give

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NEWS DIGEST

Compiled from staff and news service reports

Gdansk workers reject strike settlement

GDANSK, Poland — Lech Walesa led a strike rally at the Lenin shipyard Monday and some 700 workers responded, "We'll win! We'll win!" They shouted down a management offer and took their strike into its second week.

Walesa, who founded the independent union Solidarity at the shipyard in the turbulent summer of 1980, told his comrades he still has a "couple of beautiful cards" to play.

In his speech, before the workers were asked whether they wanted to continue striking, Walesa said: "I was afraid we were broken. ... But the mood is changing. People are coming back" to the strike. "Their wives are saying, 'You can't abandon them.'"

At a prayer meeting in the morning, Walesa had told the strikers: "We're in good shape. Those who wanted to leave are gone. Only the tough ones are here."

The Solidarity founder, a shipyard electrician who won the 1983 Nobel Peace Prize, and strike committee leader Alojzy Szablewski spoke at the 45-minute afternoon rally. Walesa, 44, told the strikers last week he was too tired to lead the strike but would be the last to leave the shipyard.

Strikers in Poland customarily occupy the plants rather than leaving them. Szablewski said late Monday that Tadeusz Goculowski, the Roman Catholic bishop of Gdansk, was trying to get talks with management started again but there were no signs of resumption.

Regan reveals Reagan in 'For the Record'

WASHINGTON — Ronald Reagan held both Gorbachevs spellbound with Hollywood stories during the Geneva summit, according to the latest tales from the White House, but after Raisa Gorbachev sparked in dinner table conversation, Nancy Reagan fumed: "Who does that dame think she is?"

Former White House chief of staff Donald T. Regan, in his book, "For the Record," published Monday, portrayed a first lady who tried to keep presidential spokesman Larry Speakes from uttering the word "cancer" when a malignancy was found in her husband's colon and who kept Regan from riding the helicopter to Bethesda Naval Hospital because helicopters were too "presidential" for staff members' use. And he told of a president who perks up in the presence of women — and unfailingly offers a fatherly wave to the pretty stewardesses across an airport tarmac.

Beyond his disclosure of Mrs. Reagan's reliance on a Nob Hill astrologist, Regan's book gave out-of-school tales about a first lady with a pervasive, protective role in her husband's presidency.

Battle for Shiite slums leaves 65 dead

BEIRUT, Lebanon — Rival militias fought hand-to-hand Monday for control of Shiite slums and rained shells on each other's positions in the grim shantytowns despite Syrian army orders to stop the four days of carnage.

Police said 65 people were killed and 150 wounded Monday, bringing total casualties in the Shiite territorial war to 154 dead and 367 wounded.

The thunder of shellfire rolled over the city all day and into the night. Gunmen atop racing ambulances fired into the air to clear traffic so the wounded could reach hospitals.

Radio stations appealed for blood donations.

Doctors confirmed allegations by both sides that wounded fighters were dragged from ambulances and hospitals and slaughtered by their rivals.

Fighting began Friday between the moderate militia Amal, which means Hope and has Syria's backing, and the radical, pro-Iranian Hezbollah, or Party of God.

Syria has 25,000 soldiers in Lebanon, about 7,500 in Beirut. It is the main power broker after 13 years of civil war but is being challenged by Iran, which the Syrians support in its 8-year-old war with Iraq.

Stress reduces pain in stress-disorder patients

MONTREAL — Vietnam veterans with post-traumatic stress disorder were less sensitive to pain after seeing scenes from a war movie, according to a study which gives a glimpse into the complex biology of the disorder.

"This may well be getting at some basic core biological aspect of PTSD," said Roger Pitman of the Veterans Administration Medical Center in Manchester, N.H.

Pitman and colleague Scott Orr did the work with Bessel van der Kolk and Mark Greenberg of Harvard Medical School. Pitman was interviewed before speaking Monday at the annual meeting of the American Psychiatric Association.

Post-traumatic stress disorder is estimated to affect hundreds of thousands of people who have survived battle, airplane crashes, earthquakes and other extreme stresses. Often appearing several months or years after the event, the disorder causes sudden memories of the event that can be so vivid that the person thinks he is going through it again.

Wells Fargo theft suspect still missing

SALT LAKE CITY — A Wells Fargo employee charged with stealing \$2.5 million from an armored truck he was driving is "the last person you'd ever imagine" to be involved in such a scheme, says one Wells Fargo guard of his fellow employee.

Jared Layne Gray, 26, of Murray, Utah remains at large after two sleeping guards were locked inside the truck and the money taken.

Scott Redford, one of two guards, said Gray seemingly was an honest, trustworthy employee.

"He's not a stupid person," Redford said of Gray. "He's a very intelligent person."

"You've got to be sharp and on the ball," Redford said.

U.S. Magistrate Ronald N. Boyce issued an arrest warrant Friday for Gray. Authorities say Gray was driving the truck from Boise, Idaho, to the Federal Reserve Bank branch in Salt Lake City.

While Redford and another guard slept in a bunk compartment, the truck stopped at a gasoline station near Corrine, Utah.

The money was taken and Gray disappeared.

Bishop faces June execution

By BRIAN E. POWELL
Universe Staff Writer

Convicted kidnapper and sex-related child killer Arthur Gary Bishop is scheduled to die June 10.

Bishop stood before 3rd District Judge Frank G. Noel while the death warrant was signed and sentence pronounced.

With a prepared statement in hand, Bishop said he wished to die by lethal injection.

Bishop, an excommunicated member of The Church of Jesus Christ of Latter-day Saints, read a statement apologizing for the killings. "I am beginning to realize the enormity of my crimes, and my soul grieves," he said.

"I owe an infinite debt to each of these boys' families, and even my execution will not completely pay that debt," Bishop said.

Judge makes abortion ruling final

Decision opens door in giving husband the right to appeal

Associated Press

SALT LAKE CITY — A 3rd District judge has made permanent a decision allowing a woman to have an abortion against her estranged husband's wishes, enabling the husband to appeal the ruling to the Utah Court of Appeals.

Michael Jon Reynolds, 25, had obtained a temporary restraining order to prevent his wife from terminating a nine-week pregnancy, but Judge David S. Young lifted the order on March 30, saying there was no basis for making the order permanent.

Reynolds appealed Young's decision to the Utah Court of Appeals, which reinstated the restraining order 90 minutes later, but Jennifer Franks Reynolds, 18, had the abortion in the interval.

On Monday, Young certified his ruling lifting the order as permanent, thus allowing an appeal, and also granted Reynolds' motion to separate the couple's divorce proceedings from the abortion issue.

The U.S. Supreme Court has ruled that no one can interfere with a woman's desire for an abortion during the first trimester of a pregnancy, but Reynolds plans to appeal Young's ruling based on his belief that a man has

the right to rear his own child, attorney Mitchell Barker said.

Barker said after the hearing that while the appeals court cannot offer Reynolds any specific relief for the loss of the unborn child, his client hopes the court will clarify a father's rights in similar situations.

"He would like to see the court set a precedent for other fathers," Barker said. He said the appeal will probably be filed later this week.

Young severed the divorce case from the abortion case despite arguments by Mrs. Reynolds' attorney, Michael Evans, that a full factual record of the divorce and custody battle and the abortion conflict should be presented to the court of appeals.

Evans, of the Legal Society of Salt Lake, also argued that Young does not have the resources to litigate two separate cases, especially in light of the intense media attention on the case.

In ruling for separation, however, Young said, "It appears to me the issue of abortion is virtually irrelevant to the rest of the (divorce) case."

Barker urged the judge to separate the cases, saying there was no connection between the issue and the fitness of either parent to receive custody of their 11-month-old son.

DISPUTE

Continued from page 1

Department of Defense to have civilian review," he said.

Kingdom said that since funds for the facility will be sought by the Army in fiscal year 1991, the proposal will be studied carefully until then. "It will require differing opinions about the makeup of the commission and what their authority will be," said Kingdom.

"If the facility is to be built in the future, Congressman Owens would push for local participation in the commission," he added.

However, Owens' colleague, Utah County Congressman Howard Nielson, is opposed to the proposal. Nielson said the proposal to establish a commission "would be micro-managing."

The congressman said he has worked at Dugway and "has every faith that the staff at Dugway would handle every possible problem."

Dugway is located in Utah Congressman James Hansen's first district, and he said Owen's proposal is just a ploy by the Salt Lake City Democrat to get press attention. "The proposal is blatantly political," said Hansen.

"It'll never happen. We already have a civilian commission overseeing the Army called the U.S. Congress." This is just one of those things that Wayne puts in that never passes. If he gets a little mileage in the press he'll be happy," Hansen said.

Gov. Bangerter endorses the idea but questions Owens' timing in proposing the legislation.

"It's interesting Congressman Owens wants to do this now since the governor made the same suggestion in a letter several months ago," said Bangerter press secretary Francine Giani.

"It appears Mr. Owens is now following our lead, and we endorse that," she added.

Bangerter's opponent for re-election, Democrat Ted Wilson, follows a concept described as "shared government." Wilson campaign spokeswoman Kathy Loveless quotes Wilson as saying that "if a citizen will be affected by a government decision, such as the germ-warfare lab, that citizen must have an input in the decision."

Downwinders, an environmental group which has opposed construction of the facility in recent months, is pleased with Owens' efforts but feel it isn't enough. "Congress, in the final analysis, oversees what the Army does, and they need to be more responsible," said spokesman Steve Erickson.

"We will continue to oppose construction of the germ-warfare facility," he added.

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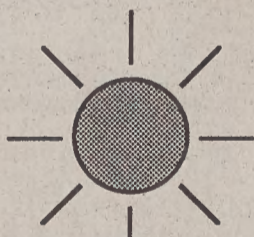
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Tuesday's Weather

SLC/Provo

Tuesday: Sunny and
fair. Highs in the middle
70s, lows in 40s.
Sunrise: 6:16 a.m.
Sunset: 8:33 p.m.



Sunny

Wednesday: Sunny and
very warm. Highs near 90.

THE UNIVERSE

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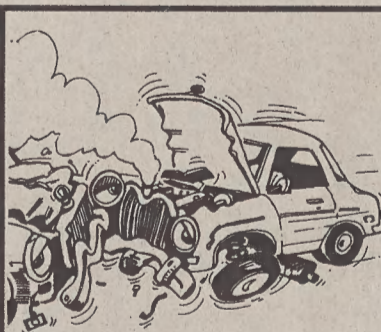
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Inspirational thought of the day:

"Tell the truth and run."

— Yugoslav proverb



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SPORTS

BYU dominates WAC/HCAC meet



Universe photo by Stuart Johnson

Malcolm Hunsaker goes up and over to win the pole vault at the 1988 WAC and HCAC championship track and field meet.

Harkness controls tennis championships

GARRETT LYMAN
Universe Sports Writer

BYU's David Harkness continued his domination of Western Athletic Conference tennis Saturday, winning conference crowns in both the singles and doubles competitions. The championship singles matchup was a clear example of the parity which presently exists in WAC tennis, said BYU Head Coach Larry Hall. Harkness entered the singles championship as the top-ranked conference and regional player. New Mexico freshman Matt Goldman took a more unusual road to the finals. Goldman, ranked as the No. 8 player on the New Mexico team, was originally ineligible to compete in the singles competition, said Hall. According to established WAC guidelines, each team is to place seven players in the singles tournament. One WAC school did not bring a seventh competitor and this left an available space in the tournament that could be filled by a No. 8 participant. Goldman won the competition between No. 8 players and took the empty spot in the singles bracket. The surprise of the week came when Goldman defeated the tournament's No. 2 seed, Julio Noriega of San Diego State, in the first round. Goldman then upended his next two opponents to advance to the championship match. Both Goldman and Harkness relied upon big serves to control the tempo early in the match. The contest's turning

point came after Goldman managed to break Harkness's serve, taking a 4-3 advantage. "Matt's serve seemed to soften up after he broke me," said Harkness. "They were like rockets in the first few games and then he started having trouble getting his first serves in. That's when I really started playing my game." Harkness' game consisted primarily of strong first serves and immediately attacking his opponent at the net. Goldman's powerful ground strokes occasionally disrupted Harkness' strategy but his consistent effort proved overpowering and he took the first set, 6-4. The second set saw Harkness continuing his serve and volley attack and as a result, no rally lasted more than four shots. Harkness quickly gained a 4-1 advantage and ultimately defeated Goldman, 6-3. After the match, Hall made reference to the outstanding play of Goldman. "Sometimes an unseeded player has a fluke match and can beat the No. 2 tournament player. Matt had five great matches and flukes like that just don't happen." The doubles championship match turned into an all-BYU final when the team of Johnny Mattice and Tom Snelson took the court against Harkness and Enrique Guajardo. Both BYU teams entered the championship after tough three-set semifinal matches. Guajardo and Harkness defeated Mattice and Snelson, 7-6, 6-2. BYU victories in Saturday's finals will mean automatic NCAA tournament invitations for the conference champions.

4 of U golfers win tourney by four strokes

BRADLEY KEARL
Universe Sports Writer

The three-day 1988 Western Athletic Conference golf championship, which ended Saturday at Riverside Country Club, was won by the University of Utah, with a total score of 569. BYU finished in second at 569, four strokes behind the winner. The University of New Mexico scored an 870 and came in third by a single stroke. Matt Johnson of the University of Utah won the 1988 tournament in ending his team to victory. Johnson, who celebrated his 24th birthday just

last month, walked away with the trophy while BYU's Bruce Brockbank finished second, two strokes behind Johnson. Johnson, who had 11 putts on the final nine holes, said it was his putting that won it for him. "I played the best on the fourth hole. I was 180 yards out, and on the right side of the fairway. Using a 7-iron, I landed the ball right near the hole and made the putt," he said. Brockbank kept the pressure on Johnson by shooting a 74 on the first day, with Johnson's coming in at 72. Both players shot a 71 on Friday and a 68 on Saturday. deficit in the nightcap to take a 10-8 lead going into the ninth inning. Home runs from Paul Cluff, John Batina and Ron Sisler gave BYU the lead. John Matias and Mark McWherter then hit back-to-back homers in the top of the ninth to tie. The Cougars broke their own NCAA single-season home run record of 148, hit in 73 games in 1985. BYU broke the record by hitting 149 home runs in only 49 games. Batina hit the record breaking home run, hit an estimated 410 feet over both left-centerfield fences. BYU is now 35-13-1 overall and 17-4-1 in the WAC. BYU hosts Utah Wednesday in a 1 p.m. doubleheader, then travels to Utah Thursday for a noon doubleheader.

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By ALAN K. BAILEY
Universe Sports Writer

After sweeping the Western Athletic Conference and High Country Athletic Conference track and field championship tournament meet at BYU last week, the Cougars are back in training for the NCAA championship to be held in Eugene, Ore. June 1-4. Seven BYU men and three BYU women qualified for the tournament so far this year and retiring men's head track coach Clarence F. Robison expects at least two more athletes to qualify before the tournament begins. For Robison, 1988 WAC track coach of the year, dominating the meet and beating second place University of New Mexico, 239-92, to set a new WAC scoring record was the culmination of a 40-year coaching dream. "The track meet set a stage and was just a glorious meet for me," said Robison, who steps down this year as head coach. "It was the frosting on the cake." BYU took 12 of the 21 first-place honors. BYU women's Coach Craig Poole, whose team successfully defended its HCAC crown for the fifth consecutive year by defeating Wyoming, 161-93, said they had a lot of pleasant surprises.

First-place finishes went to Noleen Mullan - 1500-meter run, Georgia Johnson - 800-meter run, Hui-Chen Lee - javelin, and Maxine Springer - 400-meter dash. Lee, high jumper Chris Wilson and 5000-meter distance runner Nancy Anderson are the three female athletes that have qualified for the NCAA tournament. BYU's men's team was paced by Ted Meham, who won the steeple chase and the 1,500 meter run and freshman Frank Fredericks, who took first-place honors in the 100-meter and 200-meter dashes, by edging out returning champion Gabriel Okon of UNM. "Beating Okon was the main thing," said Fredericks. "I felt it the whole race." Other athletes who took first place honors included Soren Tallhem in the hammer throw and the shot put, Heikki Hollmen in discus, Larry Smithee in the 10,000-meter run, Tim Hesse in the 400-meter run, pole-vaulter Malcom Hunsaker and Dave Hunsaker in the high jump. BYU also took nine second-place finishes. Dave Sampson, Tim Hesse, Fredericks, Tallhem, Dave Brannan, Malcom Hunsaker, Meham and Mike Davis have all qualified for the NCAA's and will be competing in Eugene on June 1.

Jazz lose to Lakers in playoff game

Associated Press

INGLEWOOD, Calif. — The Utah Jazz plan to wake up and play from the start of Tuesday's second National Basketball Association playoff game against the Los Angeles Lakers, who put the first game away with a 24-8 first period blitz Sunday.

"Karl Malone (the Jazz star held to three points in the first half Sunday) told me that the next game was going

to be real physical — the most physical of the playoffs," said Lakers' defensive specialist Michael Cooper. Cooper got a painful taste of what Malone had in mind in the second half of Sunday's 110-91 victory when he was bumped into the reporter's table by Malone. Cooper reinjured the ankle that kept him out of 20 regular-season games. X-rays showed there was no fracture.

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HEALTH/MATERNITY INSURANCE can start May 1 w/ no wait for conception. Expecting? Complications ins avail. Van Shurnway anytime. 377-9500 or 225-3221.

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CAUTION
Employees and young women seeking domestic help positions should ask for references and have a complete understanding regarding living conditions, work schedules and responsibilities, free time, transportation costs, work environment, etc.

Acceptance of an advertisement in this classification does not indicate an endorsement by The Daily Universe, BYU, or the LDS Church.

SPEND AN EXCITING YEAR with an East Coast family. Make new friends, develop your skills w/ children & enjoy living in another part of the country all while earning a good salary. Write or call for application American Nannies, PO Box 355, Basking Ridge, NJ 07920, 201-647-9009.

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07- Domestic help, Out of State

NANNIES

In Atlanta, GA, Childcare exper needed. Top Salary w/ excellent families. Airfare paid. Contact Leslie, 404-262-6129.

NANNY NEEDED for 4 & 6 yr old + hskpg in exchange for rm/brd & salary. 1 yr comm. Start Aug 15 flex. Write: Mary O'Dell, 296 Albert Crt, Charlottesville, VA 22901.

NANNY WANTED For Preschooler & New Baby. Oppty to work in Lovely Long Island Community. Pvt rm/bth, cbl TV, Pvt beach club + car. Please Call Stacey Coll 516-374-1088.

NANNY/LGT HOUSEWORK. For young active family in Dallas, TX. 2 children (6 & 10). Must drive, swim & like pets, non-smoker, own rm/bath, use of car. Call coll 214-380-8098.

2 ST. LOUIS FAMILIES, looking for live-in nannies. Care for children plenty of free time or pt-time students. Transportation avail, grt accommodations. Call eves only 314-991-5175, will return calls.

NANNY for children 7 & 10 lgt hskg, cooking, plenty of free time, Wash DC area. 201-258-0572 call collect.

NANNY-CARE for 2 children. Norwalk, CT (1 hr to NYC) (203) 846-4270 evenings.

WANTED: Live-in Mothers Helper/Aupair. Must be loving, mature, reliable individual who will help care for 2 young girls, plus housework. Needed for the summer or possibly 6 months. Please respond by June 1 to: Mrs. Hansen, 542 Birch Ave, Westfield, NJ 07090.

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FULL CHRG BOOKKEEPER must have accounting/computer backgrnd, wrk well w/people. Bring resume to: 362 N 1080 E or 374-1700.

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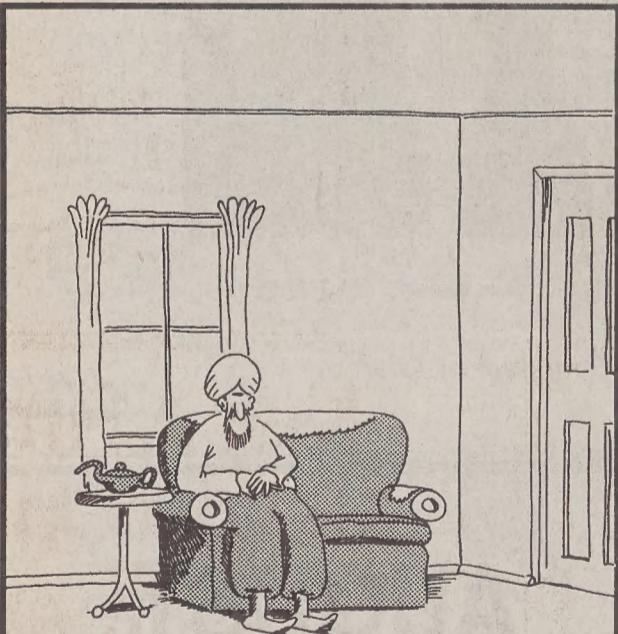
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SOME Excellent Contracts avail. Very o Campus, Call Bill 373-5439.

DELUX 3 Bdrm furn Conco, Micro, W/D, Call 373-8140 or 377-4907.

MS, SP/SUM \$100/MO, Covrd Pkg, Color cro, DW, W/D, 1 blk to BYU, Call Trouble 377-7902.

R SHADOWS/RIVERGROVE, Pvt rms, W/D, DW, Frplc, Trouble Free 377-7902.

TILS PAID, Girls pvt rm \$65/mo, DW, Mi-ll Trouble Free 377-7902.

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DUPLICATE near BYU 484 N 1100 E, Spec m couples/men's group \$250, or mens pvt 3 bdrm 2 bath, W/D, Call 375-6719 10-5.

HOUSE CONDO, 825 N 900 E, Spec S/S ren's grp \$250/mo, Call 375-6719 10-5.

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S HOME, Sp/Sum, pvt rms \$60-75, Near Spec group rate \$250/mo. Some utis incld, 375-6719 bet 10-5.

6 PVT RM Sp/Sum \$55-75 gas incld, 194 N #4, F/W Openings, Call 375-6719 10-5.

3 BDRM 2 BATH APT, 57 W 700 N, Cou-er girls group Sp/Sum only \$250/mo, shrd rt \$75, gas incld, Call 375-6719 10-5.

ILES/GIRLS Bsmt Apt, \$225 yr round, 2 W/D, 332 N 300 E, Call 375-6719 10-5.

INGTON CONDO, 725 N 800 E, Spec Sp/3p/s/girls' grp \$300, Call 375-6719 10-5.

ES, FULL FURN 5 bdrm townhouses, Fru August, \$350/mo, Several locations in, Call 377-7902.

6 FURN APT, BYU appr, DW, W/D, Micro, Cable, Cen Air & Heat, Close to Campus rm, F/W, Call 224-8623.

MM SPECIAL, Couples/Men 2 bdrm, \$210/utis incld, Pvt \$90/shrd \$65, Cable, micro, 200 E, 375-6719, 10-5pm. After 5 call Tom 411.

ILES semi furn, 916 E 700 N, \$190 + utis, Butterfield 225-6857.

IO APT in good neighborhood, Near BYU, couple/sgnl, W/D, \$190, 373-1932.

FURN APT cpls or singles 2 bdms Sp/only \$190/mo ask for Nicki 373-0819.

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MS, MEN, Winter Quarters Spring/Sum-call 226-3306.

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Y NICE FULLY FURN CONDO, 2 bdrm, 2 W/D, DW, Micro, Color TV, Cvrld Pkg, \$250/day-Aug, Call 377-7902.

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R BYU Nice 1-4 bdrm Apt or House, Free Cbl, Swim, Furn, \$250-up, 375-0944.

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S FREE RENT, 2 bdrm, W/D hk-ups, new carpet, \$240 + utis, 375-7226.

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22- Homes for Sale

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22- Homes/Condos for Sale

GOVERNMENT HOMES From \$1.00 (U Repair) Buy Properties for back TAXES! Info, REPO List-ings 1-518-459-3546 Ext H-2142 24 Hrs.

24- Wanted to Rent

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28- Sundance Cabin Sales

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58- Used Cars

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HEARING

Continued from page 1

MCI's attorney, James Dustin, said the memo needs to be taken in context. He said MCI was trying to re-solve a dispute in Yuba County, Calif., over local construction permits before it "decided exactly what it was going to do concerning a specific electrical permit."

He said the construction permits had been the responsibility of a rail-road company, which misunderstood the regulations and didn't get them before MCI started construction. Yuba County's chief building inspec-tor, Craig Bybee, said the misunder-standing with the railroad company about the construction permits cre-ated few problems.

"It happens all the time in this busi-ness," he said. The memo was sent to at least seven MCI officials. The au-thor of the memo, Richard Strom, a legal officer in MCI's office in Richardson, Texas, said "I really don't have any comment on it."

The commission said the memo re-lated to a local matter and was outside the commission's jurisdiction.

Kamp said that document snafus where a legal brief gets misplaced sometimes occur at the agency. He said one of four things happened: TeleSTAR did not mail it at all; Tele-STAR mailed it to the wrong place; TeleSTAR incorrectly filed it; or it was lost at the FCC.

TeleSTAR's Stewart, said his com-pany mailed the document to the FCC on two occasions and once to the gen-eral counsel's office. DHL Air Ex-press, an overnight mail company that sent the documents, confirmed that the FCC signed for some sort of

documents on the day after Stewart claims he sent the legal papers.

The second time TeleSTAR mailed the document, they claimed it went with another legal brief which the FCC had on file.

Furthermore, even though the FCC apparently misplaced the docu-ment, the memos were mentioned in other legal documents.

TeleSTAR's attack on MCI began in 1985 when a business associate who worked with both MCI and Tele-STAR told Stewart that MCI had been violating the same regulations TeleSTAR was accused of breaching.

Based on this information, Tele-STAR eventually began an investiga-tion and turned charges against them-selves around in early 1987. They requested that the FCC revoke MCI's license. As the year pro-gressed, TeleSTAR increased the in-tensity of the full-court press against its competitors. Charges were hurled at Western Telecommunications. Then, later, TeleSTAR filed a case against the commission in the District of Columbia Circuit Court of Appeals. MCI has joined as a party to both proceedings. No action has occurred in either case, however.

Eventually, TeleSTAR contacted its congressional delegation and columnist Jack Anderson.

Anderson, who produced one column on the subject last summer, and the Congressional delegations took interest in the subject because of what they saw as a double standard at MCI. MCI said its "position through-out this proceeding (against Tele-STAR) has been clear. The Communi-cations Act and the commission have

BORK

Continued from page 1

a major or formal address to BYU; he was reserving that for his lecture cir-cuit, but he would come down and do a question and answer session," Scruggs said.

Scruggs said he was surprised he never heard from any other institu-tion in the state, but said he felt it would be unfair to ask every other institution when Bork would only be in town for a day.

Moss said Hatch arranged for Bork to speak at BYU and as a result of that speaking engagement USU did not get the media event they were paying for. "BYU got the publicity, Hatch got the money and USU got the shaft," Moss said. "Hatch was the only one to make money, he made \$60,000 (at Hatch's fundraiser); why not peel off \$12,000 and give it back?" Moss said Hatch's arrangement for

CLUBNOTES

Clubnotes is published by The Universe as a service to students. All submissions must come through the BYUSA Organizations Office. *Clubnotes* submissions must be in English and should not exceed 25 words.

Deadline for *Clubnotes* is 9 a.m. Monday. No exceptions.

BYU Academy of Pre-Dental Stu-dents — All pre-dental/hygiene stu-dents to get acquainted with the newly organized club (formerly Pre-Dental Club).

AT-A-GLANCE

Submissions for *At-A-Glance* must be received by noon the day before publication. All items must be dou-ble spaced, typed on an 8 1/2-by-11 sheet of paper and should not ex-ceed 25 words. Submissions of a commercial nature, or which adver-tise activities resulting in remunera-tion to anyone, will not be ac-cepted for publication. *At-A-Glance* will run once a week on Tuesdays.

Volunteers — Urgent. Groups of ten or fifteen people needed to wash windows and do yard work at Rest Homes. Call Kristi Jenkins, 378-7184 BYUSA.

Volunteers — Hello out there. 75 student volunteers needed to work with handicapped. Get involved by contacting Steph Swain, 378-7184 BYUSA.

Educational Psychology Center — BYU's center will be offering counseling services during spring and summer terms of 1988. Counseling for children, adolescents, adults and/or families is available. Interested in-dividuals may contact Gwen 378-2658.

Workshop — Stress management

workshop Wednesday, May 11, noon, 151 SWKT. Come join the fun and you'll leave with a great defense against "stress attack." Counseling and Development Center.

Workshop — Effective communi-cation workshop, Thursday, May 12, 11 a.m., 151 SWKT. Learn how to solve problems, strengthen relation-ships and deal with sticky situations. Counseling and Development Center.

Workshop — Dating relationships workshop, Friday, May 13, 11 a.m., 151 SWKT. Come exchange ideas and learn the keys to establishing and en-joying successful dating relation-ships. Counseling and Development Center.

Internships — If you want to get to the top of the retail ladder, getting the edge on your competition will help. Find out how today 2 p.m., 484 TNRB. Paid internships available.

Volunteers — Volunteers needed to help visually impaired and learning disabled students in the volunteer reading program. Please contact handicapped student services, 390 SWKT, 378-2767.

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established rules to ensure equitable use of the electromagnetic spectrum. The Commission must ... ensure that each company plays by the same rules..."

MCI said some of TeleSTAR's al-le-gations were accurate, but others were not. It said admitted mistakes were inadvertently caused by lower level employees or subcontractors.

The company, in what they claim was an effort to be forthright with the commission, also admitted a violation of an unrelated FCC regulation that TeleSTAR had not alleged.

On January 21, the FCC fined MCI \$10,000, saying the case needed no hearing. "As we have stated previ-ously, the initiation of revocation pro-ceedings ... is of course 'wholly sub-ject to our discretion.'"

TeleSTAR continues to press the case against MCI in the halls of the FCC. They claim that MCI continues to violate regulations despite the FCC's actions.

In a new set of allegations submit- ted March 31, TeleSTAR provided photos of construction workers

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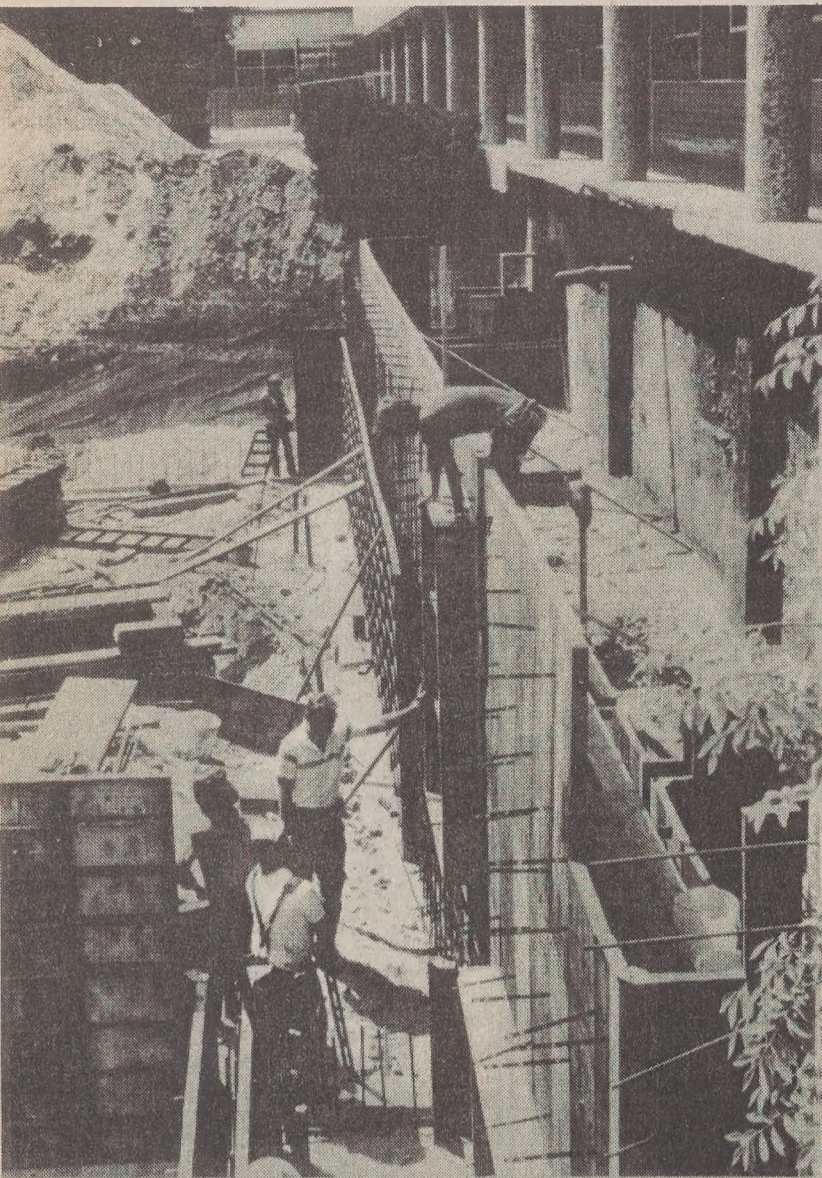
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CAMPUS



A construction crew sets foundation molds outside the Smith Family Living Center. The crew is building facilities to hold a new BYU telephone system.

Teleconference Tuesday

By DORAN JOHNSON
Universe Staff Writer

BYU's Humanities Learning Resource Center in the College of Humanities is one of 10 language-learning facilities in the United States that will be spotlighted in a special satellite teleconference Tuesday.

The teleconference, entitled "Emerging Technologies in Modern Language Instruction," is presented by a six-year-old independent organization headquartered at BYU called Computer Assisted Learning Instruction Consortium. The teleconference is sponsored by Tandberg Educational and Pioneer Communications of America.

More than 270 domestic and 23 foreign downlink sites will have access to



the broadcast. The downlink cost is \$75, said CALICO Executive Director and BYU linguistics professor Frank R. Otto. "Our downlink fee is at cost. We did it at cost because we want involvement," he said. "We don't want the fee to inhibit (anyone)."

Otto said he expects more than 25,000 people to watch and participate in the teleconference. The majority of the audience will consist of people who are involved in language technology or who are planning to get involved, he said.

"The emphasis of the workshop is to show how technology in the College of Humanities and the Learning Resource Center has helped students and teachers," said HLRC Director Jerry W. Larson.

The teleconference will feature a

video tour of the lab showing different facilities in the HLRC," said Larson.

"We are going to show (the audience), by example, unique applications (of technology) that have been very successful at the 10 institutions," said Otto. "Our purpose at CALICO is to blend applications of technology to teaching and learning languages."

The teleconference will be broadcast live using a large screen projection system at 6 p.m. in 2170 JKHB.

College of Nursing names new leader

By JODI L. CLYDE
Universe Staff Writer

BYU's College of Nursing has named a new associate dean for the department.

Donna L. Boland, a Salt Lake City resident, has been chosen as the associate dean of the baccalaureate program. The announcement was made by BYU president Jeffrey R. Holman.

Dean June Leifson said the appointment will be effective July 1, 1988. After serving 18 years in the Department of Nursing, Jewel A. Bartholomew will be retiring from the position of associate dean in August.

Boland, who was raised in Watertown, N.Y., joined the BYU faculty in 1986. She practiced most of her nursing in New York and taught at the University of Utah.

Boland is a cum laude graduate of State University of New York at Utica/Rome and acquired her master's at Russell Sage College. She received her doctorate at the University of Utah.

"I am very honored and apprehensive," said Boland. "Everyone has been offering congratulations and condolences. It's a big job."

BYU improves phone system

By MARK A. STASTNY
Universe Staff Writer

Construction is underway for facilities to house a new campus telephone system that will offer users a clearer signal, improved efficiency and the latest in telephone technology, according to one BYU spokesman.

BYU has purchased a computerized telephone system from International Business Machines that will replace the current system and is scheduled to begin operating Dec 21, said Ferrell B. Mallory, director of communication systems.

According to Paul Richards, director of public communications, "It's a very complex system. The reason we are waiting until December is that's when everybody is off campus, and we can make the changeover using the Christmas holidays to iron out any problems that may exist and have the system ready to go when everybody returns in January."

Construction for an underground addition to the Joseph F. Smith Family Living Center to house the main exchange is scheduled for completion in July, and rewiring of the campus will continue throughout the summer, said Mallory.

"The facility that is under construction will be nearly 2,500 square feet and will be completely underground," said Richards. "It's on the basement level of the SFLC and will extend out from the existing phone office."

According to Richards, the new facility will house the computer control center and all of the exchange equipment that is needed to run the system.

Mallory said, "The current system, which was installed nine years ago, has not met campus needs for at least five years and has been giving us problems with slow dial tones, cross talk, cutoffs and maintenance."

The present system is limited to about 5,500 phones, whereas the new system is capable of handling more than 20,000 lines. According to Mallory, this will give the university all it needs for the present and foreseeable future.

Seminar is success

By MARK A. STASTNY
Universe Staff Writer

"Planning With A Purpose" was the theme given by BYUSA president Mark Crockett last weekend to more than 100 representatives of Utah's two- and four-year institutions.

The leadership conference in St. George was sponsored by the National Association for Campus Activities, Crockett said. Student leaders and faculty from Utah colleges were invited to the two-day conference.

"I feel the conference was very successful," said Rush Sumpter, associate director of student programs. "Mark's presentation was received very positively by the students and professionals...."

According to Crockett, "The presentation urged the student associations to decide where they are trying to go before they go running around in different directions. The conference was in preparation for a Utah Student Association meeting this weekend in St. George," said Crockett.

The new system is a feature-for-feature replacement of the current system with capabilities to perform all of the functions of the existing system, as well as some additional features, said Richards.

"The new system," he said, "is a digital system, as opposed to the current system which is an analog system."

The new system is faster and more efficient, according to Richards.

According to an IBM company spokeswoman, Pam Olson, the digital system is the "language of computers," and the wave of the future. The system is designed to take the spoken voice and translate it into the language of the computer.

This information can then be used, manipulated and processed as computer information, said Olson.

Because the new system uses different technology, the changeover will require the replacement of all equipment and all cable and wiring on campus. However, phone numbers will remain the same, Richards said.

"One of the advantages of the new system that will help us tremendously," he said, "is that it handles not only voice communication, but computer communication as well."

He added, "the new system has a twisted pair cable that is connected to each phone and can handle, at the same time, both voice and computer communication."

According to Richards, the current system has some computer controls in it, but the computer-to-computer communication has to be handled through the use of modems.

"The new system is long overdue and we are anxiously awaiting its implementation," Richards said. "There will be some inconvenience as they install the wiring and do some other things."

"However, this should not hamper the existing system's operation. If people can be patient, we will soon have a much better system in place to serve everybody."

One of the new features the system will offer is "Phonemail," which performs automated call processing and

voice mail functions, said Mallory.

According to Richards, "Phonemail is like an answering machine, but more extensive. It is a system of keeping track of messages both ways; you can send a message to somebody you are calling, or leave a message for them to receive when they call you."

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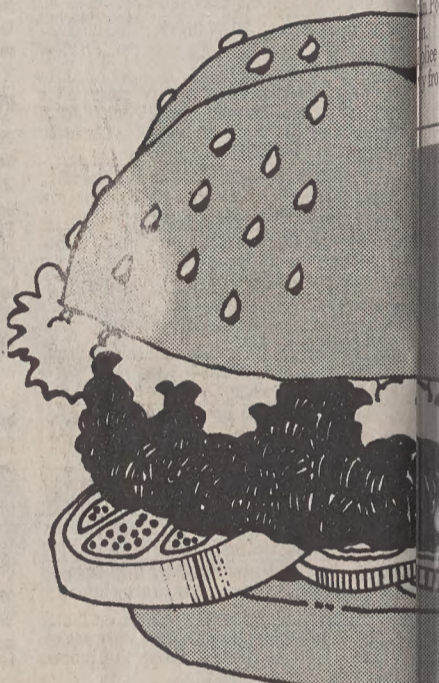
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